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6 UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

7 UNITED STATES OF AMERICA,
8
9 Plaintiff,
10 v.
11 CHARLES GENE TATUM, JR.,
12 Defendant.

Case No. CR10-203-RAJ

**PROPOSED FINDINGS OF FACT
AND DETERMINATION AS TO
ALLEGED VIOLATIONS OF
SUPERVISED RELEASE**

13 **INTRODUCTION**

14 I conducted a hearing on alleged violations of supervised release in this case on August 10,
15 2011. The defendant appeared pursuant to warrant issued in this case. The United States was
16 represented by Marci Ellsworth, and defendant was represented by Kyana Stephens. Also
17 present was U.S. Probation Officer Felix Calvillo. The proceedings were digitally recorded.

18 **SENTENCE AND PRIOR ACTION**

19 Defendant was sentenced on August 22, 1996 by the Honorable Michael J. Davis, United
20 States District Judge for the District of Minnesota for Felon in Possession of a Firearm. He
21 received 169 months of detention and 3 years of supervised release.

22 On July 7, 2010, an order transferring jurisdiction from the District of Minnesota to the
23 Western District of Washington for Mr. Tatum was completed. Mr. Tatum's term of supervised
release commenced March 17, 2009, and is scheduled to routinely terminate on March 16, 2012.

PROPOSED FINDINGS OF FACT AND
DETERMINATION AS TO ALLEGED VIOLATIONS
OF SUPERVISED RELEASE - 1

1 **PRESENTLY ALLEGED VIOLATIONS**

2 In a petition dated October 10, 2010, U.S. Probation Officer Mark J. Chance alleged that
3 defendant violated the following conditions of supervised release:

4 1. Failing to submit written monthly reports during the first five days of July, August,
5 September, and October, 2010, in violation of standard condition No. 2.

6 2. Failing to notify the probation officer within 72 hours prior to changing residence,
7 in violation of standard condition No. 6.

8 3. Committing the crime of Residential Burglary on or about June 29, 2009, in
9 Issaquah, King County, Washington, in violation of the general condition that he not commit
10 another federal, state, or local crime.

11 4. Committing the crime of Residential Burglary on or about July 28, 2009, in
12 Issaquah, King County, Washington, in violation of the general condition that he not commit
13 another federal, state, or local crime.

14 **FINDINGS FOLLOWING EVIDENTIARY HEARING**

15 Defendant stipulated to the contents of the violation report. Based on the contents of the
16 report, I found Mr. Tatum guilty of the violations. The matter is set for a disposition hearing on
17 September 16, 2011 at 2:00 p.m. before District Judge Richard A. Jones.

18 **RECOMMENDED FINDINGS AND CONCLUSIONS**

19 Based upon the foregoing, I recommend the court find that defendant has violated the
20 conditions of his supervised release as alleged above, and conduct a disposition hearing.

21 DATED this 10th day of August, 2011.

22 

23 **BRIAN A. TSUCHIDA**
United States Magistrate Judge